AN

ACT

To Prevent

PROTESTANTS

Inter-Marrying

WITH

PAPISTS.

DUBLIN:

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An ACT to Prevent Protestants Inter-Marrying with Papists.

CAAP. XXVIII.

WHEREAS many Protestant Maidens and Women, as well such as be Heirs Apparent to their Ancestors, as others, having left unto them by their Father, or other Ancestor or Friends, Manours, Lands, Tenements, and Hereditaments, or other great Substances in Goods or Chattels, Real or Personal, for their Advancement in Marriage; or having had considerable Estates for Life, by Dower or Jointure, or having had the Tuition or Guardianship of Protestant Children Intituled to such Estates, or Interests, as aforesaid, by Flattery and other Crafty Insinuations of Popish Persons, have been Seduced and Prevailed upon, to Contract Matrimony with, and take to Husband, Papists or Popish Persons; which Marriages have not only Tended to the Ruine and Destruction of such Estates and Interests, and to the great Loss and Damage of many Protestants Persons, to whom the same might Descend or Come, but as well to the Currupting and Perverting such Protestants so Marrying, and the Protestant Persons in their Tuition and Guardianship, as aforesaid, that they

they forsake their Religion, and become Papists, to the great Dishonour of Almighty God, the great Prejudice of the Protestant Interest, and the heavy Sorrow and Displeasure of all their Protestant Friends. For remedy whereof,

Be it Enacted by the King's Most Excellent Majesty, by, and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons in this present Parliament Assembled, and by the Authority of the same; That if any Protestant Maid, or Woman Unmarryed being Heir Apparent to her Ancestor, or having a Sole or Joynt Estate, or Interest in Fee-Simple, or in Fee-Tail, or being Seized in Fee-Simple, or in Coparcenary, or in Common, or being Seized of an Estate for Life or Lives, by way of Jointure, Dower, or otherwise; or being Possessed of, or Intituled unto any Beneficial Interest, or Term for Years, of, or in any Manours, Lands, Tenements, Rents and Hereditaments, in Possession, Revertion, or Remainder, or being Possessed of, or Intituled to any Personal Estate, either in Money, Stock, Plate, Jewels, or other Goods and Chattels in Law or Equity, to the Value of Five hundred Pounds Sterling, or more, shall at any time after the First Day of January next, Marry, or take to Husband any Person whatsoever, without having first obtained a Certificate in Writing under the Hand of the Minister of the Parish, Bishop of the Diocess, and some Justice of the Peace Living near the Place, or any two of them, where such Person shall be Resident at the time of such Marriage, that he is a known Protestant; which Certificate shall also be Attested under the Hands of Two or more

Credible

Credible Witneſſes, and ſhall be Granted without Fee or Reward, that then and from the time of ſuch Marriage, ſuch Proteſtant perſon ſo Marrying, and the perſon ſhe ſhall ſo Marry, ſhall be for ever afterwards Diſabled and Rendred Incapable of Having, Holding, or Enjoying, all, or any of the aforeſaid Eſtates or Intereſts, which ſuch Proteſtant Perſon ſo Marrying, ſhall, may, or ought to have, at the time of ſuch Marriage; and that by ſuch Marriage, as aforeſaid, all, and every of the ſaid Eſtates and Intereſts belonging to ſuch Proteſtant perſon or perſons ſo Marrying, as aforeſaid, ſhall go to, and be Veſted in, and in Law Deemed and Eſtæmed to be the Right, Title, Eſtate and Intereſt of the next Proteſtant of the Kin, to whom ſuch Eſtate, or Intereſt would Deſcend, or come to by Law, were ſuch Proteſtant Maid or Woman, and all other Intervening Popiſh Heirs, Executors, or Adminiſtrators really Dead and Inteſtate at the time of ſuch Marriage; and that from the time of ſuch Marriage, ſuch next Proteſtant of the Kin, as aforeſaid, to whom all, or any of the ſaid Eſtates or Intereſts, ſhall come by ſuch Marriage, as aforeſaid, ſhall Have, Hold, Poſſeſs and Enjoy, all, and every ſuch Eſtates and Intereſts, in as Large, Ample, and Beneficial Manner, to all intents and purpoſes, as ſuch Proteſtant Maid or Woman might Have, Held, Poſſeſſed, or Enjoyed the ſame, in Caſe this Act had never been made; and that at any time after ſuch Proteſtant Maid or Woman, ſhall Marry without ſuch Certificate, as aforeſaid, it ſhall, and may be Lawful, to, and for ſuch Proteſtant perſon or perſons, to whom all, or

any of the ſaid Eſtates or Intereſts, ſhall come by ſuch Marriage, as aforeſaid, by any Action at Law, or other Legal means whatſoever, to Sue for, and Recover all, or any of the ſaid Eſtates or Intereſts, as if ſuch Proteſtant perſon or perſons ſo Marrying, as aforeſaid, and all other Intervening Popiſh Heirs, Executors, or Adminiſtrators, were really Dead, and Inteſtate, as aforeſaid, and as if ſuch perſon or perſons, who ſhall ſo Sue for, and Recover all, or any of ſuch Eſtates or Intereſts, were Rightfully and Legally Intituled thereto, as Heir, Executor, or Adminiſtrator to ſuch Proteſtant Maid or Woman Marrying, as aforeſaid; ſuch Maid or Woman, being by ſuch Marriage to be Deemed and Eſteemed Dead in Law, to the aforeſaid Intents, Conſtructions and Purpoſes.

And if any ſuch Proteſtant Maid or Woman, as aforeſaid, ſhall at any time after the Firſt Day of January One thouſand Six hundred Ninety ſeaven, Marry any ſuch perſon without ſuch Certificate, as aforeſaid, that then, and from thenceforth, ſuch Proteſtant perſons, and ſuch Husband as ſhe ſhall ſo Marry, as aforeſaid, ſhall for ever be Incapable of being Heir, Executor, Adminiſtrator, or Guardian, of, or to any Proteſtant or Proteſtants whatſoever; and in caſe any Proteſtant Woman, as aforeſaid, is now Married to a Popiſh perſon, and hath now by Law a Title, or is choſen or appointed to be Guardian to any Proteſtant perſon or perſons, having all or any of the ſaid Eſtates or Intereſts, aforeſaid, that in ſuch Caſe, from and after the ſaid Firſt Day of January, ſuch Guardian ſhall be utterly Uncapable

pable of being any longer ſo Guardian, or to Receive any the Rents, Iſſues or Profits, of the ſaid Eſtates or Intereſts of ſuch perſon or perſons in Guardianſhip, as aforeſaid; and the Right and Title of ſuch Guardianſhip, ſhall devolve on, and come to the next Proteſtant, or Proteſtants of the Kin, to whom the Eſtate of ſuch perſon or perſons in Guardianſhip, as aforeſaid cannot deſcend, unleſs ſuch perſon ſhall be Uncapable in Law, or ſhall be Adjudged unfit for ſuch Guardianſhip by the Court of Chancery in this Kingdom: In either of which Caſes, ſuch Right of Guardianſhip ſhall go to the next Proteſtant of Kin, who ſhall be Capable and Fit for the Diſcharge of ſuch Truſt, who ſhall take into his, her, or their Care and Tuition ſuch perſon and perſons in Guardianſhip, as aforeſaid, and Receive the Rents, Iſſues and Profits of ſuch Eſtates and Intereſts belonging to ſuch perſon or perſons, ſo in Guardianſhip.

And that in Caſe any Proteſtant Miniſter, or Popiſh Prieſt, or other perſon whatſoever, ſhall after the ſaid Firſt Day of January, Joyn in Marriage any Proteſtant Maid or Woman, having any of the ſaid Eſtates or Intereſts, aforeſaid, to any perſon whatſoever, without having ſuch Certificate in Writing, as aforeſaid, then every ſuch Proteſtant Miniſter, Popiſh Prieſt, or other perſon whatſoever, Joyning in Marriage, as aforeſaid, ſuch Proteſtant Maid or Woman to any perſon without ſuch Certificate, as aforeſaid, for every ſuch Offence, he or they ſhall ſo Commit, being Convicted thereof by his or their Confeſſion, or by the Verdict of a Jury of Twelve Men of the County wherein ſuch Offence

Offence shall be Committed, shall suffer One Year's Imprisonment, Without Bail or Mainprize, and Forfeit the Summ of Twenty pounds Sterling, the one Moyety thereof to Our Sovereign Lord the King, that now is, His Heirs and Successors, and the other Moyety to the party or parties that will Sue for the same, by any Bill, Plaint, Action, Sute or Information, Wherein no Essoyn, Wager of Law, or Protection shall be allowed.

And Whereas the Marriages of Protestant persons, to, and with Popish Maidens and Women, have proved Pernitious to the Protestant Interest, it commonly happening such Protestant persons and their Issues, being influenced by such Popish Wives, are Reconciled to Popery, and become Papists: For Remedy Whereof, Be it further Enacted by the Authority aforesaid, That in Case any Protestant person or persons, shall after the said First day of January next, Marry any Maiden or Woman, Without having obtained a Certificate in Writing under the Hand of the Minister of the Parish, Bishop of the Diocess, and some Justice of the Peace, living near the place where such Maid or Woman shall be Resident at the time of such Marriage, or any Two of them, of her being a known Protestant; Which Certificate shall be Attested by Two Credible Witnesses, as aforesaid, and shall be Granted Without Fee or Reward; such person or persons so Marrying any Maiden or Woman, shall from and after such Marriage, be in Law, deemed and esteemed to all intents, constructions and purposes, to be a Papist, or Popish Recusant, and shall for ever afterwards, be Disabled and Rendered Incapable of, and

from

from being Heir, Executor, Administrator, or Guardian to any person or persons whatsoever, as also be Disabled to Sit in either House of Parliament, and Rendered Incapable of, and from having, bearing, or Exercising, any Civil or Military Office or Imployment whatsoever, unless such person so Marrying, shall within One Year after such Marriage, procure such Wife to be Converted to the Protestant Religion, and shall obtain a Certificate under the Hand and Seal of the Bishop of the Diocess, or Arch-Bishop of the Province, or Chancellor, of this Kingdom, that she hath renounced the Popish Religion, and is become a Protestant, and shall procure the said Certificate to be Inrolled in the Court of Chancery in this Kingdom.

And whereas several Popish Priests have of late endeavoured to Withdraw several of the Soldiers Inlisted in his Majesty's Army, from his Majesty's Service, by Marrying them to Popish Wives.

Be it therefore further Enacted, That any Popish Priest, or Protestant Minister, or other person whatsoever, that shall Marry any Soldier Inlisted in his Majesty's Army in this Kingdom, to any Wife without such Certificate as aforesaid, shall Forfeit the Summ of Twenty pounds for every such offence, to be Levyed by Warrant from any Justice of the Peace, in any County in this Kingdom where such offence shall be Committed of the Goods and Chattels of the Offender, or in default thereof, the party so Offending to be Commited to the County Goal there to remain without Bail or Mainprize, until he shall pay the said Summ,

one Moyety thereof to ſuch perſon or perſons that ſhall give Information and make out ſuch Offence before any Juſtice of the Peace, and the other Moyety to the Treſurer of the County, to be applyed to the uſe of the County, and that every Juſtice of the Peace ſhall give an account of his proceedings to the next Quarter-Seſſions.

Provided always, That any perſon that ſhall think himſelf Agrieved, by the Judgment of any Juſtice of the Peace, may have Liberty to Appeal to the next Quarter-Seſſions, Where the ſaid Matter ſhall be Examined, and ſuch Relief therein given, as to the Juſtices at the Quarter-Seſſions ſhall ſeem reaſonable.

Provided always, And be it Enacted, That in all Caſes where a Certificate is required by this Act, that the perſon Marrying is a known Proteſtant, if any Marriage ſhall be Made without ſuch Certificate, and it can afterwards be made appear by Proof, that ſuch perſon was a known Proteſtant, that in ſuch Caſe, they ſhall not be Lyable to any Forfeitures or Penalties in this Act.

An ACT for Granting an Additional Duty on Tobacco; and for continuing unto His Majeſty an Aid, or Additonal Cuſtom on ſeveral Goods and Merchandizes. And alſo, for continuing the Additional Duty on Beer and Ale, and other Liquors, till the Twenty fifth Day of *December*, One thouſand Seaven hundred and Two

CHAP. XXIX.